

HOUSE BILL 614

L5

11r0676

By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: February 9, 2011
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland–National Capital Park and Planning Commission – Prince**
3 **George's County – Site Plan Approval Authority**

4 **MC/PG 114–11**

5 FOR the purpose of prohibiting the County Council for Prince George's County, sitting
6 as the district council, from reviewing decisions by the Prince George's County
7 Planning Board to approve or disapprove certain site plans except under certain
8 circumstances; authorizing a party of record to appeal certain decisions by the
9 Planning Board to the district council; prohibiting the district council from
10 revoking certain delegations of approval authority made to the Planning Board
11 by a certain date; authorizing the district council to revoke certain delegations
12 of approval authority for the purpose of delegating that authority to the
13 governing bodies of certain municipal corporations; and generally relating to
14 site plan approval in Prince George's County.

15 BY adding to

16 Article 28 – Maryland–National Capital Park and Planning Commission
17 Section 8–129
18 Annotated Code of Maryland
19 (2010 Replacement Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article 28 – Maryland–National Capital Park and Planning Commission**
23 **8–129.**

24 **(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
25 **SUBSECTION, THE COUNTY COUNCIL FOR PRINCE GEORGE'S COUNTY, SITTING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 AS A DISTRICT COUNCIL, MAY NOT REVIEW A FINAL DECISION OF THE PRINCE
2 GEORGE'S COUNTY PLANNING BOARD TO APPROVE OR DISAPPROVE A SITE
3 PLAN.

4 (2) A PARTY OF RECORD MAY APPEAL TO THE DISTRICT COUNCIL
5 A FINAL DECISION BY THE PLANNING BOARD TO APPROVE OR DISAPPROVE A
6 SITE PLAN.

7 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
8 SUBSECTION, THE COUNTY COUNCIL FOR PRINCE GEORGE'S COUNTY, SITTING
9 AS A DISTRICT COUNCIL, MAY NOT REVOKE A DELEGATION OF AUTHORITY OVER
10 SITE PLAN APPROVAL MADE TO THE PRINCE GEORGE'S COUNTY PLANNING
11 BOARD ON OR BEFORE JANUARY 1, 2011.

12 (2) THE DISTRICT COUNCIL MAY REVOKE A DELEGATION OF SITE
13 PLAN APPROVAL AUTHORITY TO THE PLANNING BOARD ONLY FOR THE
14 PURPOSE OF DELEGATING APPROVAL AUTHORITY OVER DETAILED SITE PLANS
15 TO THE GOVERNING BODY OF A MUNICIPAL CORPORATION IN THE
16 MARYLAND-WASHINGTON REGIONAL DISTRICT UNDER § 8-112.4(B)(1)(IX) OF
17 THIS TITLE.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 June 1, 2011.